

2872

PTO/SB/21 (05-03) (AW 07-03)
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/935,027
	Filing Date	August 22, 2001
	First Named Inventor	Mikihiro Shimada, et al
	Art Unit	2872
	Examiner Name	Euncha P. Cherry
Total Number of Pages in This Submission 5 + 7 References + Search Report	Attorney Docket No.	MTS-3270US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) PTO-1449 7 references European Search Report Return Postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature			
Date	August 26, 2003		

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
			August 26, 2003
Name (Print/Type)	Allan Ratner		
Signature		Date	August 26, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 09/935,027
Applicant: Mikihiro Shimada, et al
Filed: August 22, 2001
Title: OPTICAL ELEMENT AND METHOD OF FABRICATION THEREOF
TC/A.U.: 2872
Examiner: Euncha P. Cherry

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 58-113,903
- 2) 06-194,536

References 1) and 2) include an English language abstract.

Also, References 1) and 2) were cited in a search report by a foreign patent office in a patent application corresponding to the above-identified patent application. A copy of this search report, which indicates the degree of relevance found by the foreign office, is transmitted herewith.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice

of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Allan Rather, Reg. No. 19,717
Attorney for Applicants

AR:ds

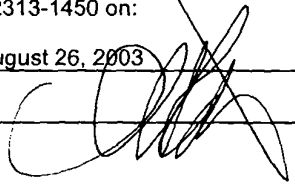
Enclosures: PTO Form 1449
(7) References
Search Report
Transmittal Form

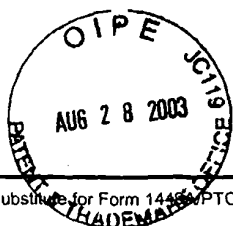
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August 26, 2003




(AW 08/03)

Substitute for Form 1449, PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada, et al
Art Unit	2872
Examiner Name	Euncha P. Cherry
Attorney Docket No.	MTS-3270US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,675,691	10-07-1997	Johannes Edlinger et al	Abstract, Col.3, ¶¶5-6, Col.4, Lines 46-51, Col. 5, Lines 29-61, Col.6, ¶¶1-3, Figs. 2B-C, 5-8
		US-4,886,538	12-12-1989	Amaresh Mahapatra	Abstract, Col.1, Line 54, Col. 5, ¶2, Figs. 1-3
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		JP 58-113903 (English abstract only)	07/07/1983	Fujitsu Ltd.	Abstract, Fig. 1	<input type="checkbox"/>
		JP 06-194536 (with English abstract)	07/15/1994	Nippon Telegr & Teleph Corp>	Abstract, ¶¶'0006!, '0011!, '0012!, '0021!, Figs. 2,7	<input type="checkbox"/>
		GB 2-133-900A	08/01/1984	The Marconi Company Limited	Abstract, page 2, line 9-last paragraph, page 3, last paragraph, page 4, paragraph 1	<input type="checkbox"/>
		EP 0-297-652	01/04/1981	N.V. Philips	Abstract, Col.3, Lines 10-20, Col. 3, Lines 40-57, Col. 4, ¶3, Fig. 1H	<input type="checkbox"/>
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¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

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Substitute for Form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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SHEET 2 of 2

Complete if Known

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada, et al
Art Unit	2872
Examiner Name	Euncha P. Cherry
Attorney Docket No.	MTS-3270US

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		European Search Report for EP 01 120159, dated August 1, 2003	<input type="checkbox"/>
		NAJAFI, S.I., et al, "Sol-Gel Glass Waveguide and Grating on Silicon", Journal of Lightwave Technology, September 1, 1998, Pgs. 1640-1646, Vol. 16, No. 9, IEEE, New York, US (Page 1640-1641, Section III, Figs. 1-4, 5A, C)	<input type="checkbox"/>
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²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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